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ABSTRACT

The conference considered a broad range of issues regarding nuclear nonproliferation and U.S. policy objectives for the nonproliferation regime both in the near term and long term. Major areas receiving particular attention were developments affecting the context of the nonproliferation debate; the present status of the nonproliferation regime; threats to the future of nonproliferation; the 1985 Non-Proliferation Treaty (NPT) Review Conference; and U.S. objectives regarding the implementation of full-scope safeguards, enhancing the International Atomic Energy Agency, strengthening the NPT, and broadening the nonproliferation regime. Overriding these issues was agreement that to insure the future stability of nonproliferation, measures must be taken to halt and reverse the vertical proliferation of the superpowers' nuclear arms race. The participants shared the goal of supporting and strengthening the nonproliferation regime and urged the United States to work toward this end. (Author)

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Report of a Vantage Conference

The United States and the Future of the Nonproliferation Regime

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May 1984

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The United States and the Future of the Nonproliferation Regime

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The United States and the Future of the Nonproliferation Regime

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This conference continues the Stanley Foundation's Vantage Conference series which adjusts to the evolving world situation and addresses timely, emerging issues. The conference format was informal, round-table discussion. Participants attended as individuals rather than as representatives of their government or organization, and all discussions were off the record.

Conference Site.
Otesaga Hotel
Cooperstown, New York

Participants

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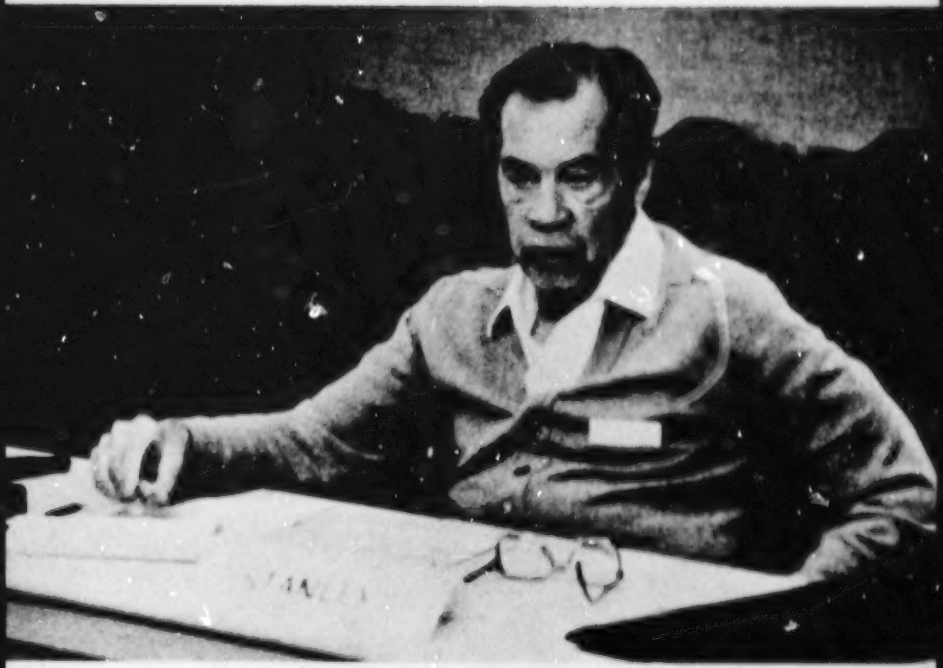

C. M. Stanley

"Our purpose is to examine again the crucial role of the nonproliferation regime in limiting the spread of nuclear weapons. Although our primary concern is US nonproliferation policy, it cannot be viewed in isolation: nonproliferation is a global problem."

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Opening Remarks

C. Maxwell Stanley
President, The Stanley Foundation

Welcome to this Stanley Foundation conference on *The United States and the Future of the Nonproliferation Regime*. Your presence affirms the timeliness and importance of this topic. Your combined experience, background, and viewpoints concerning nuclear matters will contribute significantly to our deliberations.

Our purpose is to examine again the crucial role of the nonproliferation regime in limiting the spread of nuclear weapons. Although our primary concern is US nonproliferation policy, it cannot be viewed in isolation: nonproliferation is a global problem. Therefore, to remind us of the perspectives of other nations, our group includes distinguished participants from other countries.

The Current Regime

The Non-Proliferation Treaty (NPT), in force since 1970, is the cornerstone of the nonproliferation regime. This treaty now has been ratified by 119 nations including only 3 of the acknowledged nuclear weapon states. The International Atomic Energy Agency (IAEA) established in 1957 is a second element of the nonproliferation regime. About 90 nations have safeguard agreements with the IAEA; few of the others now operate nuclear facilities. A third element is the Treaty for the Prohibition of Nuclear Weapons in Latin America (Tlatelolco) prohibiting nuclear weapons in the region and by protocol committing nuclear weapon states to refrain from violations of the treaty and from the use of nuclear weapons against the contracting parties. A fourth element, the Limited Nuclear Test Ban Treaty (1963) forces nations developing nuclear weapons to test them underground. These institutional elements of the nonproliferation regime are supplemented by supplier/user agreements calling for safeguards on transferred nuclear facilities, technology, and supplies.

The United States can be proud of the important role it has played in fashioning the institutions now comprising the nonproliferation regime. The IAEA resulted from President Eisenhower's proposal to create an organization facilitating

peaceful uses of nuclear energy. Both the NPT and the Limited Nuclear Test Ban Treaty are the result of joint Soviet-US negotiations. The United States has urged tighter provisions in supplier/user agreements and stimulated the International Nuclear Fuel Cycle Evaluation which failed to discover technology capable of solving the proliferation issue.

Appraisal

Were the current nonproliferation regime preventing proliferation of nuclear weapons, we would not be here nor would it be necessary to reexamine US policy in both the short and long term. Proliferation has occurred; fears are substantial that there will be more. Many ratifiers of the NPT are restless; a few talk of withdrawing.

In addition to the five acknowledged nuclear weapon states, Israel and South Africa are believed to have nuclear weapons. India has conducted a nuclear explosion and could quickly produce weapons. Among the nonratifying nations, a number possess the technical and industrial capability to rapidly develop nuclear weapons. For example, Argentina has recently developed the technology to complete the nuclear fuel cycle. Sources of weapons grade nuclear materials multiply as more nations develop nuclear powered electric generating stations and as a few press forward with enrichment facilities.

Feelings run high among some nations currently adhering to the NPT. The 1980 NPT Review Conference was so controversial that it adjourned without meaningful accomplishment. Meanwhile there is growing opposition to nuclear weapons in many countries. The seriousness of the nuclear threat is being recognized both as it relates to nuclear war and to the possibility of terrorist use of nuclear weapons.

What should be US policy in this generally unsatisfactory situation?

US Posture

The answer to this question depends on how the United States views the benefits derived from a stronger, more effective nonproliferation regime. To me, the benefits are significant. The security angle is undoubtedly paramount. The fewer nuclear weapons there are in the hands of other nations and the more difficult it is for terrorists to acquire weapons materials, the greater will be our security. Tens of billions of dollars could be saved from a truly effective nonproliferation regime.

Massive savings might be achieved by slowing the arms race and the cost of protecting against irresponsible terrorists' use of nuclear devices would be lessened. Because the NPT is one of the few areas of ongoing US-Soviet cooperation, our relations would be enhanced by strengthening the regime. Finally, the United States would gain increased credibility and prestige in the world community if our efforts produced a regime more effective and more acceptable to the nations adhering to the principles of the NPT.

Challenge

What is the challenge facing the United States? The answer is given in the following quotation from *The IAEA and Nonproliferation* conference report sponsored in November 1982 by the Stanley Foundation and attended by several of you.

> In conclusion, there was concern that the nonproliferation regime is not evolving at a rate sufficient to meet the challenge of the future. Countries which are leaders in the development of nuclear energy, including the United States, have a special responsibility to define what will be expected of the regime and to do what is necessary to accomplish these changes before, rather than after, they are needed.

The objectives of the nonproliferation regime are as valid and sound today as they were when the NPT was drafted. Fewer nuclear weapons in fewer hands will contribute to international peace and security. Conditions both militarily and economically have changed markedly, however, since the 1950s when the NPT was drafted and the IAEA was created. The nuclear weapons club has expanded, and the nuclear power industry has not grown to meet the expectations originally anticipated.

Is it possible at this juncture in history to institute incentives and benefits on the one hand and controls and restrictions on the other capable of effectively strengthening the nonproliferation regime? Can an adequate common ground of understanding and compromise between the major nuclear weapon states, the other NPT ratifiers, and the nonratifiers of the NPT be developed?

In seeking answers to such questions, we must start where we are, May 1984; pragmatism is required. The need is both to gain additional adherents to the principles of the NPT and

to assure continued adherence by current ratifiers. Unless this is done, the NPT may not have a meaningful life beyond 1995 and may disintegrate even before them.

Meeting the challenge requires dealing with the concerns of the ratifiers and the nonratifiers in an acceptable manner. It also involves getting them to recognize the benefits derived from adherence.

The task is difficult because the NPT and the associated elements of an effective nonproliferation regime are inherently discriminatory in nature: adherents are called upon to refrain from doing what the initial nuclear weapon states are allowed to do. It has been made increasingly difficult by the failure of the nuclear weapon states to make good on certain NPT commitments. Both adhering and nonadhering nations criticize the United States and the Soviet Union for their performance relative to the provisions of Article IV concerning the supply of nuclear technology and nuclear materials for peaceful uses and Article VI concerning the reduction of nuclear weapons. The confrontation on these issues at the past two review conferences was so bitter that little if any progress was made toward broadening understanding or strengthening the nonproliferation regime.

No nation has a greater opportunity to lead the way than does the United States, the major nuclear power. No nation has a greater responsibility than the United States, the creator of the first atom bomb. What changes in policy and approach might the United States embrace in order to avoid another stalemate at the 1985 NPT Review Conference and, more importantly, to strengthen the nonproliferation regime?

It is far beyond the role of my remarks to catalog and evaluate the numerous proposals to strengthen the nonproliferation regime. Instead I will suggest four areas of approach and touch on opportunities in each. These areas are interrelated and therefore are not listed in any order of priority.

Restrictions

Measures to increase the difficulty and the cost of joining the nuclear weapon club constitute one approach. Although weapons technology is no longer secret, the process of developing, testing, and producing nuclear weapons for obvious political, economic, and security reasons is not an easy undertaking. Many of the current and proposed elements of the non-

proliferation regime contribute to the difficulty of acquiring nuclear weapons.

The IAEA full-scope safeguards applied to nuclear facilities are indispensable but may not be adequate. Their purpose is to warn of the diversion of nuclear materials suitable for weapons from peaceful nuclear facilities. They are to provide assurance that nations are adhering to their NPT commitments. The nonproliferation regime would be strengthened by

1. Extending safeguards to nonsafeguarded reactors and facilities.
2. Upgrading the qualitative element of safeguards to provide earlier detection.
3. Enlarging the effectiveness and capability of the IAEA Department of Safeguards.

Our "IAEA and Nonproliferation" conference in November 1982 produced a number of suggestions regarding safeguards. One concerned the introduction of state of the art equipment to improve the reliability of safeguards and to speed detection of diversion of nuclear materials. Others dealt with increased IAEA funding, cooperation between the IAEA and nations whose facilities are safeguarded, strengthened IAEA managerial effectiveness, improved recruiting and training procedures for IAEA staff, and related topics.

Currently, safeguard procedures go no further than sounding an alarm of potential misuse of nuclear materials in an attempt to provide enough time for diplomatic, political, or other action. Undoubtedly, the regime would be strengthened by establishing definitive procedures to deal with reported violations.

International or multinational management or control of some parts of the nuclear fuel cycle under full-scope safeguards offers possibilities to strengthen the nonproliferation regime. Such facilities would likely be established on a regional rather than a global basis.

Measures banning nuclear tests complicate the process of developing nuclear weapons. The Limited Nuclear Test Ban Treaty forced underground testing, a costly procedure. The Comprehensive Nuclear Test Ban Treaty (CTB), if ratified, would prove a major deterrent to nonnuclear weapon states considering development of nuclear weapons and would provide evidence that the United States and the Soviet Union are

serious about their NPT obligations. Safeguards and test bans are restrictive measures; they are "sticks" not "carrots."

Supply

Measures related to the supply of nuclear technology, equipment, and materials for peaceful uses are a second approach to strengthen the nonproliferation regime. Article IV of the NPT concerns making peaceful uses of nuclear energy available to all nations. This involves the supply of not only technology but also of equipment and nuclear fuels. A number of developing nations which have ratified the NPT complain that the major nuclear powers have not lived up to their responsibilities under the provisions of Article IV.

One of the complaints is unfair treatment. Some nonparties to the NPT have obtained nuclear supplies without the imposition of full-scope safeguards. Others have covertly or overtly obtained equipment for enrichment facilities from NPT parties. Many NPT ratifiers are concerned about the reliability of fuel supply particularly if they depend on the United States. Action to strengthen the assurance of supply would make the nonproliferation regime more acceptable to many countries:

—Supplier/recipient agreements deserve attention. A model agreement developed internationally might establish broad standards concerning not only the application of IAEA safeguards but also the future availability of nuclear supply.

—Multinational facilities related to the nuclear fuel cycle may be helpful in dealing with supply assurance. Such facilities might deal with such functions as enrichment, spent fuel storage and waste management, reprocessing, and plutonium storage. An international fuel bank providing a stockpile of low enriched uranium might increase the assurance of supply.

—Increased availability of technical assistance for the peaceful uses of nuclear energy is another facet of Article IV. While the IAEA now provides technical assistance activities, increased funding would allow it to be more extensive and effective.

Improved performance by the nuclear weapon states in fulfilling the commitments of Article IV of the NPT would overcome many of the doubts and criticisms of current parties to the NPT and lessen the opposition to NPT ratification of some nations. The United States must examine its role as a nuclear supplier and develop a fair export policy not subject to the vagaries of changing administrations. Improved assurance of supply is an incentive: a "carrot" rather than a "stick."

Balance

Measures to restore balance to the performance of NPT commitments by ratifying nations is a third area. Article VI of the NPT states:

> Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

The world community despairs at the slowness with which the United States and the Soviet Union—the promoters of the NPT—have responded to this commitment. Both parties to the NPT and nonparties criticize this imbalance. Nonnuclear weapon states ratifying the NPT and thereby agreeing not to develop nuclear weapons contend the *quid pro quo* is "vertical deproliferation" or reduction of nuclear arms by the United States and the Soviet Union.

Nothing could be more beneficial to nonproliferation than positive action by these two nations to promptly halt and reverse the nuclear arms race. Such actions would restore balance and do much to assure the survival of the NPT as a viable instrument. Halting and reversing the nuclear arms race may be the litmus test of the sincerity of the two major nuclear powers concerning nonproliferation.

Without visible progress by the superpowers toward fulfilling the Article VI commitment, the 1985 NPT Review Conference is likely to be a repetition of the one in 1980. Without visible progress, there is an increasing danger that the NPT may begin to ravel long before its expiration in 1995. Certainly, efforts to gain adherence of more states to the NPT will be severely handicapped.

An agreement to proceed with the already negotiated CTB prior to the convening of the 1985 Review Conference would greatly improve the atmosphere of its deliberations. Further action, including serious START negotiations, the reaffirmation of the antiballistic missile agreement which accompanied SALT I, and disavowal of the "Star Wars" approach to international security would give the nonproliferation concept a badly needed boost.

Benefits

Finally, measures are needed to persuade current ratifiers and nonnuclear weapon states to adhere to the provisions of the NPT. This will happen only if they perceive that nonproliferation is in their best interest.

Security concerns are of greatest importance to nonnuclear weapon states. Some of the nations possessing the technical and industrial capability to develop nuclear weapons are unlikely to refrain from such action unless they believe the regime is effectively preventing proliferation. They must be assured that their neighbors or enemies will not covertly or overtly develop or acquire nuclear weapons. Adherence to the NPT is likely only if the nonproliferation regime is truly accomplishing its intended objectives.

The effectiveness of the regime can undoubtedly be enhanced by establishment of nuclear-weapon-free zones in certain regions such as the one established in Latin America by the Tlatelolco Treaty. Security can also be enhanced by guarantees extended to NPT parties by the nuclear weapon states. Security guarantees include both negative ones to avoid the use or threat of use of nuclear weapons against nonnuclear weapon states and positive ones of collective responsibility for security of NPT countries.

An additional security benefit from nonproliferation would be reduced tensions contributing to improved relations and progress on conventional arms reduction.

Significant economic benefits should accrue to nations adhering to the NPT because they will be freed of the costs of developing and maintaining nuclear weapons. Economic benefits will increase as effective nonproliferation slows the arms race and lessens the need for national military forces.

NPT parties interested in taking advantage of the peaceful uses of nuclear energy will receive the additional advantage of improved assurance of the availability of nuclear technology, equipment, and materials as called for under Article IV.

If the nuclear weapon states get on with nuclear disarmament as called for under Article VI, other NPT parties will gain. By restoring balance of performance, the basis for claims of discrimination will be minimized and nonweapon states will gain in esteem.

In the final analysis, the success of the nonproliferation regime including the survival of a viable NPT depends on how the nonweapon states appraise the benefits of the regime. Benefits are likely to be far more effective than any combination of controls and restrictions.

Conclusion

The nonproliferation regime may have passed its zenith. Without a CTB or an equally significant superpower arms control action, the 1985 NPT Review Conference is likely to be a controversial disaster. Without early increased IAEA funding, its vital safeguard program will fall short of what is needed. Until the two superpowers halt and reverse the nuclear arms race, the tantalizing appeal of the big bomb is likely to attract some near-nuclear weapon states.

Time is of the essence. Strong and positive leadership to strengthen the regime is needed lest its importance declines. Until the United States provides such leadership, the fate of the regime is uncertain. Is it wishful thinking to believe that this conference may help to stimulate our government to rise above current crises and confrontations and lead efforts to greatly strengthen the nonproliferation regime? I hope not, but the answer depends on you.

Husbands Doerge

This report was prepared by the rapporteurs following the conference. Participants neither reviewed nor approved the text; therefore, it should not be assumed that every participant subscribes to all recommendations, observations, and conclusions. The rapporteurs accept full responsibility for content. Views contained in the report are not necessarily those of the Stanley Foundation.

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The United States and the Future of the Nonproliferation Regime

Changes in the Nonproliferation Situation

The participants identified and discussed a wide range of developments that over the past several years had affected, collectively or individually, nonproliferation issues. There was mixed opinion as to their significance but general agreement that the following recent events and developments had changed the nature and focus of the nonproliferation debate:

—The significant slowdown in the activities of the nuclear power industry in the United States and in a number of other countries.
—The collapse of superpower arms control discussions including the abandonment of Comprehensive Test Ban Treaty (CTB) negotiations by the United States.
—The blow to the International Atomic Energy Agency (IAEA) caused by the Israeli raid on a safeguarded reactor in Iraq.
—The positive impact of the People's Republic of China's joining the IAEA.
—The completion of nuclear fuel cycle capability by Argentina coupled with its reborn democracy and continuing developments in other near-nuclear weapon states.
—The continued spread of nuclear materials and technology.
—The greater than expected adherence to nuclear supplier guidelines in light of growing competition for the shrinking market.
—The deterioration of support for the NPT by some adherents and opposition by nonmembers.
—The lack of movement toward multinational nuclear facilities.

Current Status

In discussion of the current status of the nonproliferation regime, two major assessments were made. One view held that although serious problems still exist the situation today is better than is widely believed or than was predicted in the 1970s. The following were cited as evidence of this fact:

1. Less movement toward more advanced and more dangerous technologies in nuclear power is taking place.
2. No new nuclear weapon states have emerged.
3. No major breakdown of supplier restraints has occurred.
4. The IAEA, although under pressure, has not raveled.
5. No nation has withdrawn from the NPT. In fact, ten nations have been added since 1980.

Another group of conferees advanced the position that the current state of the nuclear nonproliferation regime presents very serious problems for the future. They argued that while catastrophe for the regime may have been avoided until now, specific serious problems may lie ahead:

1. NPT withdrawals and perhaps the nonrenewal of the Treaty in 1995 are possible.
2. No meaningful arms control is being negotiated, much less implemented.
3. New technologies exist that provide a technical tool for proliferation without reactors.
4. Clandestine nuclear weapons programs could produce a world of bombs without tests.

This group asked what should be done about these possibilities and the continuing threat to the regime from the country next to explode a nuclear device.

These divergent views reflected the general parameters of the discussion of the current status; participants then moved into discussion of more specific issues.

The Nuclear Power Industry

Participants concurred that the nuclear power industry in the United States has slowed considerably. Unfavorable economic conditions were cited as the primary factors causing the downturn in US nuclear industry fortunes. One participant noted that about 100 orders for light water reactors have been cancelled and that no new orders have been placed since 1978. Another participant remarked that the profundity of the US nuclear industry problems had adversely affected nearly all of the Organization for Economic Cooperation and Development countries' nuclear programs. A few conferees, while acknowledging the severity of the present situation in nuclear power, doubted that the situation was as bad as indicated. Most agreed that light water reactors still hold some potential to produce nuclear energy, but the future is uncertain at best. Several participants remarked that economic restraints on nuclear power development had reduced the significance of the problems associated with the nuclear fuel cycle, that is, production of weapons-grade nuclear materials and proliferation of dangerous technologies. Other problems are now growing in urgency and should receive more consideration. Other participants noted that a great deal of plutonium is still being produced in civilian reactor programs. They argued that the associated proliferation problems are still urgent and should retain their priority status for consideration.

The International Atomic Energy Agency

Two recent developments were generally considered to positively affect the nonproliferation regime. The first was the Soviet Union's decision to place at least a token portion of its nuclear facilities under voluntary inspection arrangements similar to those of the United States and Great Britain. China's membership in the IAEA was generally regarded as a positive step toward bringing this nuclear weapon state closer to genuine participation in the nonproliferation regime, although some participants expressed concern that China might play a negative role by supporting the politicization of the agency.

Several participants also noted a shift in IAEA technical assistance programs away from nuclear power projects towards nonpower applications in medicine and agriculture, for example. There was a general sense that more remains to be done to persuade nations that the technical assistance activities of the IAEA represent a greater share of the agency programs than do safeguards. All agreed that the benefits of the nonproliferation regime must be emphasized. The lack of a formal link between the NPT and the IAEA (some IAEA countries are nonadherents to the NPT) was cited as a source of tension; nonparties to the NPT may appear to draw greater benefits from the agency than adherents do. Several participants noted that benefits from the agency could be better focused to support the nonproliferation regime but pointed to progress in some technical assistance programs.

The Non-Proliferation Treaty

A number of participants noted with satisfaction that the NPT had gained ten new parties in the 1980s and lost none in spite of a general diminution of support for the treaty among some adherents. At the same time, however, several participants commented that a "hard core" of opponents remain outside the treaty—India, Israel, Argentina, Brazil, South Africa, and Pakistan, for example—and no one at the conference could envision circumstances that would induce these countries to join. These states represent a continuing threat to the regime.

The upcoming 1985 NPT Review Conference was the subject of considerable discussion among the participants. Many expressed concern that a failure similar to that at the 1980 conference (review conferences have been held every five years since 1975) would do irreparable damage to the regime.

Thorsson

Davies

Van Doren

Treaty of Tlatelolco

Some participants expressed the hope that the recent change of government in Argentina could lead to ratification of the Latin American Nuclear-Free-Zone Treaty (the Treaty of Tlatelolco) and eventually to that treaty's full entry into force for all signatories. This would bring Brazil and Argentina into an agreement equivalent to the NPT. Several participants, however, strongly disagreed that Argentina will become part of Tlatelolco and saw little chance for that treaty's full entry into force.

Nuclear Suppliers Group

Several participants commented favorably on how well the general suppliers' guidelines, established in the late 1970s to govern the support of sensitive nuclear technology, had held up in a depressed market that had sometimes sparked intense competition for reactor sales. For example, the "trigger list" of sensitive equipment for centrifuge enrichment techniques has been tightened after Pakistan's apparent successful evasion of prior controls. Several suggestions were put forward to strengthen the guidelines and extend them, but those were met with considerable resistance from some participants who argued that such efforts would place strains on the suppliers' cohesion. A number of examples were also mentioned to show that strict adherence to the guidelines is not a fully established norm. Some suppliers have taken advantage of ambiguities or loopholes to avoid full-scope safeguards as part of the sale of potentially sensitive equipment. To some, the US-China nuclear cooperation agreement represents a significant failure of supplier restraints; China was able to play the suppliers off against one another and avoid making a commitment to full-scope safeguards for its nuclear exports. Other participants forcefully argued that such insistence would be demanding more from China than even some major nuclear suppliers, such as France, are willing to accept.

Threats to the Nonproliferation Regime

A number of significant threats to the future of the nonproliferation regime were advanced although the urgency and priority attached to each threat varied substantially. Many of the threats are familiar while others have grown out of the changed conditions of the past few years. All agreed that these threats do pose a serious challenge to the maintenance and growth of the nonproliferation regime.

The Threshold States

One of the most serious threats to the regime remains the so-called "threshold" or near-nuclear weapon countries. Some participants commented that, although these states still remain outside the nonproliferation regime, at least the situation has not deteriorated in recent years as some had expected. The list of countries causing concern is a familiar one—Israel, South Africa, Brazil, Argentina, Pakistan, and India were most frequently mentioned—while some nations which had been on the list in the past—Iran, Iraq, South Korea, and Taiwan—now appear to be less proliferation prone. The list includes two countries, Israel and South Africa, who are generally considered to have nuclear weapons but who have not yet tested them; and one nation, India, which has tested a "peaceful nuclear device" but has not yet launched a weapons program. Several participants contended that the definition of proliferation enshrined in the NPT—the explosion of a nuclear device—has become less relevant in recent years as countries edge closer and closer to nuclear weapons, and perhaps even acquire them but do not take the final step, testing. This in some ways may complicate nonproliferation efforts by allowing countries to acquire significant nuclear capabilities without suffering the penalties which presumably await any nation that crosses the explosion threshold.

Other participants argued that, although this situation required more sophisticated nonproliferation policies, it should also be seen as a credit to the strength of the "nonproliferation norm" in world politics. These participants further remarked that this norm should be strengthened as much as possible, while making clear to the threshold states that the United States and others concerned about proliferation are prepared to make any new nuclear nations pay a heavy price for their status as weapon states. How much independent US action would be acceptable to other nations was questioned. Some argued that the United States must take the lead in enforcing nonproliferation norms and others contended that unilateral activities, especially sanctions, would hamper the chances for collective responses. Sanctions, it was noted, are also difficult for the United States because of the many foreign policy issues involved in each case. The participants generally agreed, however, that a case-by-case approach to tailor specific packages of benefits and sanctions was the best way to deal with the problem.

The Second-Tier Suppliers

Another threat to the nonproliferation regime which is expected to become more serious over the next decade is the growth of a new group of nuclear suppliers. The list of these new suppliers includes India, Spain, China, Argentina, Brazil, Niger, and South Africa—none of which is a party to the NPT. These suppliers will not be able to offer a full range of nuclear equipment and technology but will be able to provide raw or processed nuclear fuel, some components, and, eventually, enrichment or reprocessing services. Many participants expressed concern that these new suppliers, some of whom are strong opponents of the NPT, could undermine the Nuclear Suppliers Group guidelines and seriously erode controls over the spread of sensitive nuclear technology. It was argued that India's record as a supplier is quite good to date and that China has now agreed to demand safeguards on its nuclear exports. Nevertheless, most participants agreed that these new suppliers would pose one of the most significant challenges to the success of the regime and that the only way to deal with the problem satisfactorily was to find ways to absorb the new suppliers into the existing suppliers group.

The Politicization of the Nonproliferation Regime

A number of participants expressed concern that one of the serious short-term threats to the regime is the further politicization of the IAEA or the NPT. For the IAEA, the most immediate problem is how the agency's General Conference will act toward Israel. Continued attempts to use the General Conference as a forum to criticize Israel or to pursue other extraneous or symbolic political goals, many argued, could seriously jeopardize prospects for continued US support of the agency.

Several participants also expressed concern that the 1985 NPT Review Conference might be subject to the same sort of politicization, including the possibility that a group of countries might withdraw from the treaty as a symbolic gesture unrelated to nonproliferation. Although these countries are unlikely to be those of concern to nonproliferation efforts (the majority of parties to the NPT do not have active nuclear programs), the withdrawal of any significant number of adherents would damage perceptions of the regime's strength and support. While there was general agreement that the 1985 NPT Review Conference faces this risk, there was disagreement about how much the United States could reasonably hope to do to protect the regime from such damage.

Collapse of Arms Control

The stress placed upon the nonproliferation regime by superpower failure in nuclear arms talks has increased in recent years. The lack of progress by the nuclear weapon states to meet their obligations under Article VI of the NPT caused a bitter confrontation at the 1980 Review Conference. Many participants considered the breakdown of strategic, intermediate nuclear force and CTB negotiations a great threat to the NPT—one whose impact would be very evident at the 1985 NPT Review Conference. Despite this fear, most participants agreed that the current status of arms control was unlikely to change between now and 1985.

New Technologies

Several participants expressed concern that some new nuclear technologies, especially some enrichment processes now being developed, pose serious risks for proliferation because they promise to be considerably less complex, less expensive, and more difficult to safeguard. Other participants pointed out that these technologies, specifically laser isotope separation, may also advance nonproliferation goals because they could make low-enriched uranium (LEU) fuel readily available at a lower cost. This availability, it was argued, would discourage countries from moving toward spent fuel reprocessing capabilities, which have significant proliferation risks. Other participants objected. They argued that since enrichment can produce weapons-grade highly enriched uranium (HEU) as well as LEU reactor fuel, the proliferation risks these new technologies introduce are just as grave as the risks from reprocessing.

The Nuclear Power-Proliferation Linkage

Several potential threats to the nonproliferation regime arise from the nuclear fuel cycle. One participant argued that proposals to use plutonium produced in civilian facilities to manufacture new nuclear warheads planned as part of the Reagan administration's strategic modernization program would set a bad precedent for proliferation by mingling civilian and military nuclear facilities and programs. US congressional reaction, it was noted, has been consistently negative. In response, it was argued, the presumed separation is largely artificial; most nuclear weapon states do not even attempt to maintain such a separation. France was cited as an example. Some participants contended that efforts to keep the programs separate would have very little real nonproliferation

impact. Some participants disagreed, arguing that it is important to consider how the nuclear weapon states conduct their vertical proliferation to minimize the negative effects this may have on the spread of nuclear weapons.

Participants also discussed the question of reprocessing versus storage or disposal of spent nuclear fuel. Some argued that, even though current conditions have made plutonium reprocessing uneconomical, several countries may proceed because very high storage costs bring pressure to find some use for the material. Attempts to safeguard this reprocessed material may strain IAEA capabilities. Some participants disagreed with the economic analysis, noting that it was important to differentiate between the situation of countries not yet embarked on major programs and that of countries with substantial previous expenditures in storage and reprocessing.

1985 Non-Proliferation Treaty Review Conference

The discussion of the 1985 NPT Review Conference began with questions of how to define and insure a successful conference and what must be done to insure this success. One view held that to be successful the conference must establish widespread support for and thoroughly review contentious issues in the treaty, especially arms control. Others thought that this was too modest an agenda and argued that a final document containing article by article guidelines was extremely important.

Arms Control

All conferees agreed that:

1. The most contentious issues at the conference are likely to be related to the arms control obligations of the nuclear weapon states under Article VI.
2. Nothing would be more useful in producing success at the conference than movement toward arms reduction by the United States and the Soviet Union.

Some participants voiced concern that the intensity of bilateral strategic competition might push NPT issues to a lower spot on the US arms control agenda.

Final Document for the 1985 Review Conference

A few participants questioned placing so much importance on creating a final document and suggested taking a "wait and see" approach. Others strongly disagreed stating that since

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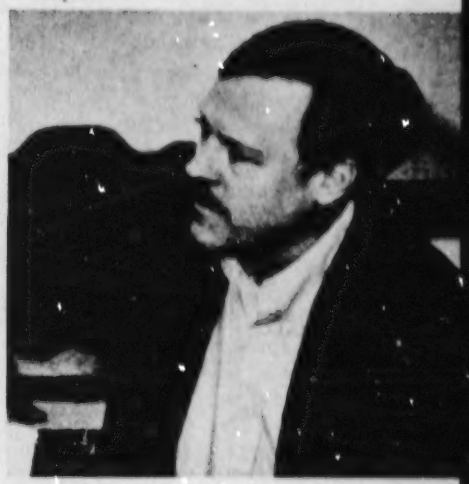

Brubaker

there was no document in 1980 and because the NPT is currently under stress, a final document confirming specific guidelines is of utmost importance. One participant raised the point that the review conference, with a week and a half of general debate, did not allow enough time for substantive discussions necessary to produce a good final document. Another participant noted that much could be done behind the scenes during the period of general debate and that substantive preparations could be accomplished before the conference begins. There was consensus that regardless of time allotment and preparation, to achieve a final document the conference must have a strong and active president as was the case at the 1975 Review Conference.

Negotiating with Nonweapon States

Conferees agreed that both in preparation for and during the conference it would be helpful to identify leaders from the nonaligned states and neutral nations to establish a viable agenda to use to negotiate NPT issues. There was also discussion of the possibility of hostile nonparties to the treaty showing up at the 1985 NPT Review Conference in order to disrupt the proceedings and damage chances for a successful conference. Several participants stated that the United States should try to diffuse this situation through discussions.

Comprehensive Test Ban Treaty

Some participants stated that the negotiation of a CTB must be achieved in order to satisfy other parties to the treaty, but some wondered about the possibility and impact of reviving the CTB before the conference. Most agreed that any significant movement on CTB negotiations before 1985 was highly unlikely. Therefore, one participant noted that responsible governments supporting the NPT might be urged to moderate the Article VI debate.

Nuclear Testing Moratorium

In the likely absence of a CTB by 1985, an alternative was offered: a moratorium on nuclear testing before the 1985 NPT Review Conference. Many thought it might help the NPT's prospects in 1985. One participant noted that verification techniques were better now than before. Some participants argued that a moratorium could be a unilateral step by the United States, but others noted that even if the initiative were taken by the United States it would be better if it included a resumption of negotiations on a CTB. One participant opposed

the moratorium because it would not serve the needs of either the superpowers or the nonaligned.

Multilateral Arms Negotiations

Nonnuclear weapon states are concerned by the failure of nuclear weapon states to live up to commitments to multilateral arms negotiations. One participant recalled the Eighteen-Nation Disarmament Committee's drafting of the Limited Test Ban Treaty. Skepticism was voiced by other participants who doubted superpower willingness to negotiate reduction of their nuclear arsenals in a multilateral forum. Those who supported multilateral negotiations conceded that the superpowers must initiate arms talks and conduct the preliminary negotiations before submitting them to the United Nations Disarmament Commission. However, since all nations are at stake in a nuclear war, they believed all nations should have a right to negotiate. Others still expressed skepticism that the United States and the Soviet Union would ever relinquish much control over these critical negotiations.

US Objectives for the Nonproliferation Regime

The need for a fundamental change in approach to the nonproliferation regime was frequently repeated. Rather than viewing the NPT as a "bargain" struck between the nuclear weapon states and the nonnuclear weapon states—which many of the latter regard as inherently discriminatory—the NPT should be viewed as a confidence-building measure to advance the shared goal of avoiding the further spread of nuclear weapons. One participant commented that the bargain concept tends to raise the status of nuclear weapons for those who have agreed to forgo them, whereas the purpose of the NPT should be to decrease the political legitimacy of nuclear weapons. The need to "repackage" the nonproliferation regime arose frequently during discussions of safeguards and also in discussions of how best to prepare US strategy for the 1985 NPT Review Conference. Some participants were skeptical of how effective such efforts could be, noting that the bargain psychology is imbedded in thinking about the NPT. Nonetheless, all the participants agreed that a major theme in US nonproliferation policy should be to press countries to recognize how much worse off they and the world would be without the nonproliferation regime.

Implementation of Safeguards

There was an agreement among the participants that encour-

aging acceptance and implementation of full-scope safeguards must be a central part of US nonproliferation efforts. (Under full-scope safeguards all of a country's nuclear facilities are under IAEA safeguard, including those that have been developed without outside assistance.) Full-scope safeguards, most agreed, offer substantially greater confidence that clandestine activities can be detected in time to allow for a response and, one participant suggested, also give the IAEA the right to complain if clandestine activity is discovered. Full-scope safeguards also provide much better overall information about a nation's program, which also increases confidence. Some participants suggested, however, that full-scope safeguards alone are not sufficient; it is also necessary to use other intelligence resources to monitor programs where a potential violation is suspected.

There was disagreement among the participants about whether certain kinds of nuclear facilities or materials could be adequately safeguarded. One participant suggested that it was impossible to track heavy water but another argued that some recent progress had been made. Another, and some felt far more serious, question was whether reprocessing facilities could be sufficiently safeguarded to give confidence that plutonium would not be diverted. One participant suggested that some of this could be corrected by designing facilities with special attention to safeguards concerns.

Participants agreed that, as part of the effort to build support for full-scope safeguards, it is important to present safeguards as a confidence-building measure, rather than as an enforcement mechanism. Nations should be encouraged to view safeguards, it was argued, as a positive means to demonstrate their compliance with NPT obligations, and to encourage cooperation between inspectors and the inspected to facilitate the process. Other participants, however, remarked that this would be an uphill battle since most countries only grudgingly accept full-scope safeguards. There was also disagreement about how forceful a role the United States should play. Some participants urged leadership to encourage and, where necessary or possible, enforce full-scope safeguards; others argued strongly that such activism could diminish acceptance by creating strains and resentments.

Finally, one participant, while expressing strong support for full-scope safeguards, argued that their capabilities should not be overstated. It is an illusion to believe that one can truly

safeguard all nuclear exports. Several participants disagreed strongly, especially with the implication that a better approach would be much tighter restrictions on exports. Most participants agreed with the comment that full-scope safeguards is an approach whose time has arrived and that they should remain a priority in US nonproliferation efforts.

Expanding the Role of the IAEA

Most agreed that improving the capability of the IAEA and expanding its role in appropriate areas would benefit the nonproliferation regime and therefore should be an objective of US policy.

IAEA Inspectors

An important issue for a number of participants was whether the IAEA had sufficient technical and personnel resources to implement adequately its safeguards program. Some recent reports in the United States and elsewhere strongly criticized the IAEA's efforts. Several participants argued that the current problem for the IAEA is not a lack of resources or inspectors, as has been suggested, but rather the need for a period of consolidation to enable it to absorb and utilize fully the resources it already has. As an example, a participant noted that the Department of Safeguards includes representatives from over 40 nations. In the past, this has caused problems because of cultural differences in organizational and managerial styles. To some extent, it was argued, the continuing evolution in the skills and talents required for inspectors would always present organizational problems for the safeguards program.

The view was expressed that action might be taken to limit a nation's ability to challenge the credentials or reject an inspector sent by the IAEA. Some nations reject one inspector in order to get an inspector from a friendlier country. Another participant supported this view and suggested the possibility of a set procedure to deal with the challenge of an inspector. Others noted that the ability to challenge is also a right of the United States—one which it may be reluctant to relinquish. Some argued that challenges to inspectors are not a serious problem and that the inspection process cannot be thwarted through denial of inspector credentials. However, it was noted that geographical quotas are a problem that severely hinders flexibility in assigning inspectors.

Arms Control

Several participants discussed the potential of the IAEA to play a role in the verification of arms control agreements. This discussion was triggered by the recent suggestion by the IAEA's director general to use the agency's overall inspection experience in certain areas of arms control verification. Several participants agreed that the IAEA would be most useful in this regard concerning a negotiated halt in the production of fissionable materials. Another participant noted that any treaty calling for weapons reduction could use the IAEA's experience in monitoring the disposal of nuclear materials. Many expressed concern that while the IAEA had much to offer, any role in arms control could deeply politicize the agency and severely damage its effectiveness.

Secrecy in the IAEA

Several participants supported the view that IAEA secrecy with regard to inspection reports is often greater than is warranted. Further, increased access to safeguards implementation reports could enhance the credibility of the IAEA. One participant noted that since the Israeli raid against the Iraqi reactor site at Osirak, there had been efforts to make information more available. The IAEA's Committee on Assurances is discussing the possibility of issuing a certificate of approval to indicate the results of an inspection and certify that no anomalies were found. There was consensus that efforts to lessen the degree of secrecy would benefit the IAEA.

Voluntary Offers

The participants discussed the relative merits of voluntary offers, the system by which nuclear weapon states open some of their facilities to IAEA inspection. Some participants charged that this is a largely unproductive activity used as a propaganda ploy by nuclear weapon states. Most participants said that very little in the way of safeguards was accomplished through voluntary offers; however, they do serve a symbolic purpose.

Strengthening the NPT

All participants were in agreement that the NPT is the cornerstone of the nonproliferation regime and that strengthening the NPT is an important US objective.

Gaining Adherents

The participants discussed the possibilities of gaining addi-

tional adherents and what this would mean to the NPT. One participant classified the nonadherents according to their likelihood of joining the treaty. The first category was a group of nations hostile to the NPT and included most of the threshold states; the second group included significant countries that should join but have been unable to reach the decision, Spain and Niger are examples; the third group included nations that will not join unless some other event takes place, mostly Arab countries that are not opposed in principle to the NPT but are insistent on changes in Israeli policy in this area; the last group contained the relatively new countries in the world which have not yet become sufficiently familiar with the treaty. Most participants agreed that a special packaging of the NPT based on a country's needs and position would have positive effects on gaining adherents. On a more negative note, it was pointed out that part of the problem in getting near-nuclear weapon states to join is that they already benefit from the security of the NPT and safeguards without giving anything.

Renewal of the Treaty

There was unanimous agreement that the consequences for US and global security would be disastrous if the treaty was not renewed in 1995. Further, there was consensus that the revival of significant arms control was important to strengthen the NPT as well as to achieve other nonproliferation objectives.

Broadening the Regime

The participants discussed a wide variety of measures that might be undertaken to preserve or strengthen the nonproliferation regime and increase participation.

Nuclear-Free Zones

Some of the participants suggested that nuclear-weapon-free zones could serve as a means to bring nations into the nonproliferation regime even if they continued to refuse to join the NPT. For example, the Tlatelolco Treaty would give Argentina and Brazil the equivalent of NPT membership.

One participant expressed skepticism that nuclear-free zones could serve as more than confidence-building measures in peacetime, but other participants noted that even that function could make a significant contribution to regional stability. Nuclear-free zones, it was argued, could also increase aware-

ness of the regime and a sense of responsibility toward it. Some participants argued that it was important not to appear to leave the maintenance of the regime to the United States and the Soviet Union.

A number of potential areas for nuclear-free zones were discussed, including Africa, the Balkan states, and the Middle East. For the latter region, several participants commented favorably on the recent shift in Israeli views to support the concept of a nuclear-free zone in the Middle East. Current conditions in the region, however, may require greater involvement by the United States and the Soviet Union to overcome the unwillingness of the Arab nations to deal directly with Israel. The participants agreed, however, that generally the initiative for nuclear-free zones must come from the countries within the region and cannot be created or imposed by outside powers.

Security Guarantees

The question of security guarantees by the nuclear weapon states to nonnuclear weapon states arose as part of the initial negotiations for the NPT. In an attempt to reassure its NATO allies, the United States offered to defend nations confronted with threats or actual use of nuclear weapons. For many neutral and non-aligned nations, such pledges were unacceptable; they sought "negative" security guarantees instead—pledges not to use or threaten to use nuclear weapons against nonnuclear weapon states. A participant expressed dissatisfaction with the pledges currently offered by the nuclear powers, especially the Soviet Union, and suggested that this may be an issue at the 1985 NPT Review Conference. Others argued that the implications of negative security guarantees for current NATO policy on the use of nuclear weapons made it unlikely that the Western powers would undertake new initiatives. It was also suggested that such guarantees would have little impact on most of the near-nuclear countries and, thus, could not be considered a likely inducement to join the NPT. Another participant suggested, however, that since nonproliferation is both a technical and a political problem, any measures that help decrease the political legitimacy of nuclear weapons could be useful. Negative security guarantees may fulfill such a function and hence be helpful as part of the nonproliferation effort.

Threshold States

One suggested strategy to deal with the near-nuclear nations

was to capitalize on the nonproliferation norm which many argued is discouraging the threshold states from conducting or moving to conduct overt nuclear tests. One participant suggested seeking "no explosions" pledges from the threshold countries, which could act to slow the pace of proliferation by ensuring that new nuclear weapon states would not emerge. Regional "no explosion" pledges might enhance political stability in an area currently experiencing a nuclear rivalry among threshold states. South Asia and Latin America, for example.

A "nonweapon" zone verified by no explosions would also permit avoidance of the safeguards issue, which is anathema to many threshold states. Some participants supported the concept, but others expressed concern that this would serve to legitimize proliferation-prone activities short of testing and might make it more difficult to enforce supplier restraint on sales of sensitive technologies. No consensus was reached, but the discussion did point up the problems for the regime posed by the threshold states and the need to seek ways to induce them, at minimum, to avoid violating the regime.

Multinational Facilities

The participants agreed that the slowdown in the growth of nuclear power around the world has, at least for the next several years, diminished interest in multinational projects for reprocessing or enrichment or for spent fuel storage. Some participants did suggest that the waste management problem is important and that nonproliferation goals could be served by safeguarded multinational fuel storage and disposal projects. The problem is that most countries are reluctant to serve as spent fuel storage sites and others would be reluctant to accept conditions on what they could do with spent fuel they deposited in multinational facilities. The need remains, nonetheless, many agreed, to seek ways to provide spent fuel storage and disposal as a genuine alternative to reprocessing and that successful projects could serve the cause of enhancing the nonproliferation regime.

The Second-Tier Suppliers

The participants generally agreed that it was very important to seek ways to bring the emerging new nuclear suppliers into the nonproliferation regime. Several participants saw this as one of the most urgent tasks for US policy because failure to do so could seriously undermine supplier restraints on exports of sensitive technology. Most of the participants agreed, how-

ever, that these nations were unlikely to join the NPT, so other policies would have to be developed. The natural alternative would be to offer these countries membership in the Nuclear Suppliers Group, especially since this would offer these countries prestige and status as an acknowledged nuclear supplier. Prestige was generally considered to be very important to many of the new suppliers and, thus, the best appeal the current suppliers could make.

Other participants, while agreeing with the importance of the second-tier countries, foresaw serious obstacles to gaining their acceptance of current supplier norms. The most obvious is full-scope safeguards, which some of the new suppliers have consistently rejected. Most participants agreed that any attempt to induce the new suppliers to support the regime must be made by seeking to find and utilize common objectives and a positive approach that stresses the benefits to all nations of a strong nonproliferation regime. Negative or punitive approaches were thought by most participants to be unsuccessful, although some argued that the United States should be prepared to use whatever leverage it might have to persuade these countries to adhere to the suppliers' guidelines. Again, the importance of tailoring approaches to each country's specific interests was stressed.

Conclusion

This conference was marked by general equanimity and abiding interest in insuring a successful future for the nonproliferation system. Throughout the conference it was suggested that the nonproliferation regime should be "repackaged" from a bargaining or tradeoff approach to an effort to promote the realization that a strong nonproliferation regime is a benefit to all nations. Instead of concentrating on differences of opinion, the participants focused on serious problems facing nonproliferation and reviewed a wide range of options for consideration, especially for US policy.

There was wide agreement that among the United States' major objectives should be: the renewal of arms reduction efforts, implementation of full-scope or comprehensive safeguards, continuation of a strong NPT, strengthening the IAEA, and broadening the nonproliferation regime.

The participants closed the conference as they began: committed to nonproliferation as a key factor in world peace and devoted to giving their time and considerable expertise to this objective.

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Chairman's Observations

These observations were prepared by the conference chairman, C. Maxwell Stanley, following the conference. They reflect discussion not only at this conference but also at prior Stanley Foundation conferences.

Chairing a conference involving such highly qualified participants as those assembled at this conference is always a rewarding as well as a challenging experience. These observations present several perceptions which I trust emphasize and augment the rapporteurs' report.

The NPT

Like our conference on *Nonproliferation: 1980s*, held in early 1980, this conference on *The United States and the Future of the Nonproliferation Regime* was convened about a year and a half prior to the scheduled date of an NPT Review Conference. At both conferences there was consensus that the NPT has been and should continue to be the foundation of a viable and effective nonproliferation regime. Attention focused upon measures intended to assure continuity of the NPT and to strengthen the nonproliferation regime.

Supply

Questions concerning the availability of supply of nuclear technology, equipment, and materials for peaceful uses appeared to be less urgent and critical than was the case at the 1980 conference. The slowdown of the installation of nuclear powered electric generating stations as well as some progress through arrangements between suppliers and users contributed to the decreased emphasis on supply questions. Another factor at this conference, however, might have been the absence of representatives from the Third World.

Nevertheless, the problems of assurance of supply are not all solved; they will be discussed at the NPT Review Conference, with particular attention to regulating supply to and from non-NPT parties.

Safeguards

While the IAEA has made some progress in strengthening its system of safeguards, the conference participants suggested

improvements, specifically the implementation of full-scope safeguards. Unfortunately, it is uncertain whether funding needed to assure the expansion and strengthening of safeguards would be provided by member states or could be effectively used by the IAEA.

Benefits

Participants tended to agree that benefits rather than restrictions would be more likely to facilitate the continued adherence of NPT states and would be more likely to encourage non-NPT states to adhere to, if not ratify, the treaty. Supply assurances and security guarantees might increase the perceived benefits of not developing nuclear weapons. Emphasis on factors identified as disincentives for nuclear weapons development was urged.

Balance

The failure of the United States and the Soviet Union to check and reverse vertical proliferation not only challenges the 1985 NPT Review Conference but also encourages threshold states to develop nuclear weapons. Resumption of INF, START, and CTB negotiations; a moratorium on nuclear testing; and initiation of negotiations on a treaty preventing weaponization of outer space were suggested as essential measures to demonstrate progress concerning Article VI. Unfortunately, most agreed that little progress is likely prior to the NPT Review Conference in August 1985. Regrettably, the concluding sentences of my observations in *Nonproliferation: 1980s* continue to be appropriate:

> Nothing but nothing would do more to enhance nuclear nonproliferation than early substantive action by the Soviet Union and the United States to halt and reverse the nuclear arms race.
>
> Time is of the essence.

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